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130-3**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR  
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Large Entity)**Docket No.  
**CRI-3US**In Re Application Of: **Donald Mickle et al.**Serial No.  
**09/363,100**Filing Date  
**July 29, 1999**Examiner  
**Afremova, Vera**Group Art Unit  
**1651**Invention: **MESENCHYMAL STEM CELL TRANSPLANTATION INTO DAMAGED MYOCARDIUM****TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

This is a combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of

July 2, 2002 in the above-identified application.  
Date

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated **July 2, 2002** finally rejecting Claim(s) **1, 2, and 4 through 11.**

Applicant(s) hereby request(s) an extension of time of (check desired time period):

☐ One month ☐ Two months ☒ Three months ☐ Four months ☐ Five months

from: October 2, 2002

Date

until:

January 2, 2003

Date

The fee for the Notice of Appeal and Extension of Time has been calculated as shown below:

Fee for Notice of Appeal: \$320.00Fee for Extension of Time: \$920.00**TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME: \$1,240.00**

The fee for the Notice of Appeal and extension of time is to be paid as follows:

☐ A check in the amount of \_\_\_\_\_ for the Notice of Appeal and extension of time is enclosed.

☒ Please charge Deposit Account No. **07-1074** in the amount of \_\_\_\_\_  
A duplicate copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. **07-1074**  
A duplicate copy of this sheet is enclosed.

☒ Any additional filing fees required under 37 C.F.R. 1.16.

☒ Any patent application processing fees under 37 CFR 1.17.

☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **07-1074** A duplicate copy of this sheet is enclosed.

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This combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition for extension of time under 37 CFR 1.136(a) is respectfully submitted by the undersigned:

  
*Signature*Dated: **December 26, 2002****Madge R. Kanter**  
**Reg. No. 35,211****Certificate of Transmission by Facsimile\***

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No.

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(Date)

*Signature**Typed or Printed Name of Person Signing Certificate*

**\*This certificate may only be used if paying by deposit account.**

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I certify that this document and fee is being deposited on \_\_\_\_\_ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

*Signature of Person Mailing Correspondence**Typed or Printed Name of Person Mailing Correspondence*

CC:

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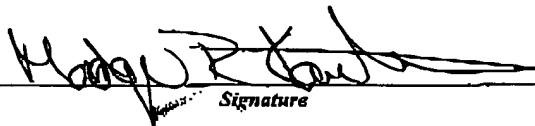
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